

City Council Introduction: **Monday**, September 26, 2005

Public Hearing: **Monday**, October 3, 2005, at **1:30** p.m.

Bill No. 05-141

FACTSHEET

TITLE: CHANGE OF ZONE NO. 05060, from P Public Use District to R-2 Residential District, requested by the Director of Planning, on property generally located at 33rd Street and Doane Street.

STAFF RECOMMENDATION: Approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 09/14/05
Administrative Action: 09/14/05

RECOMMENDATION: Approval (9-0: Carlson, Carroll, Esseks, Krieser, Larson, Person, Bills-Strand, Sunderman and Taylor voting 'yes').

FINDINGS:

1. During the 1979 zoning update, P zoning was applied to this Lot 4, although it was neither owned by a government agency nor put to a public use. The current owner states that the property has been privately owned since 1944 and intends to put the property to residential use.
2. The staff recommendation of approval is based upon the "*Analysis*" as set forth on p.2-3, concluding that the proposed change of zone is in conformance with the Comprehensive Plan.
3. On September 14, 2005, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
4. On September 14, 2005, the Planning Commission voted 9-0 to recommend approval.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: September 19, 2005

REVIEWED BY: _____

DATE: September 19, 2005

REFERENCE NUMBER: FS\CC\2005\CZ.05060

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for September 14, 2005 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No. 05060

PROPOSAL: Change the zoning from P Public to R-2 Residential to allow the construction of an accessory building on a residential parcel.

LOCATION: 33rd and Doane Streets

LAND AREA: 6,672 square feet, more or less.

CONCLUSION: This change of zone conforms to the Comprehensive Plan.

RECOMMENDATION:	Approval
------------------------	----------

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 4, Block 1, East End Addition, located in the

EXISTING LAND USE AND ZONING: Residential P Public

SURROUNDING LAND USE AND ZONING:

North:	Single-family dwellings	R-2 Residential
South:	Single-family dwellings	R-2 Residential
East:	Undeveloped	P Public
West:	Single-family dwellings	R-2 Residential

HISTORY:

May 1979 This property was changed from A-2 Single Family Dwelling to P Public as part of the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS: The Land Use Plan identifies this property as partially Urban Residential and partially Public and Semi-Public. (F 25) The designation recognized the land uses that existed when the Comprehensive Plan was adopted.

The land use plan displays the generalized location of each land use. It is not intended to be used to determine the exact boundaries of each designation. (F 27)

ANALYSIS:

1. This property is currently in private ownership, and has been since before the 1979 zoning update.
2. The 1979 zoning update was accomplished by paper map revision only, as opposed to the current method which relies on a boundary description or lot and block inventory.

3. The conversion of the old paper maps to a digital format was made difficult since the paper maps only show block lines and not lot lines. In cases such as this, where a boundary line crosses a block, the exact location of the transition between districts was uncertain. The conversion was accomplished according to an adopted set of guidelines: LMC §27.05.030 Rules Where Uncertainty as to Boundary Arises.
4. In this case, P zoning was applied to Lot 4 although it was neither owned by a government agency nor put to a public use.
5. The current owner intends to put this lot to residential use, but cannot while the zoning remains P.

Prepared by:

Greg Czaplewski
441-7620, gczaplewski@lincoln.ne.gov

Date: September 1, 2005

Applicant: Marvin Krout, Director of Planning
555 South 10th Street, Suite 213
Lincoln, NE 68508
441.7491

Contact: Greg Czaplewski, Planner
555 South 10th Street, Suite 213
Lincoln, NE 68508
441.7620

CHANGE OF ZONE NO. 05060

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

September 14, 2005

Members present: Carlson, Carroll, Esseks, Krieser, Larson, Pearson, Bills-Strand, Sunderman and Taylor.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 05060, CHANGE OF ZONE NO. 05066, SPECIAL PERMIT NO. 05036 and SPECIAL PERMIT NO. 05044.**

Ex Parte Communications: None.

Bills-Strand moved to approve the Consent Agenda, seconded by Pearson and carried 9-0: Carlson, Carroll, Esseks, Krieser, Larson, Pearson, Bills-Strand, Sunderman and Taylor voting 'yes'.

Note: This is final action on Special Permit No. 05036 and Special Permit No. 05044, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.



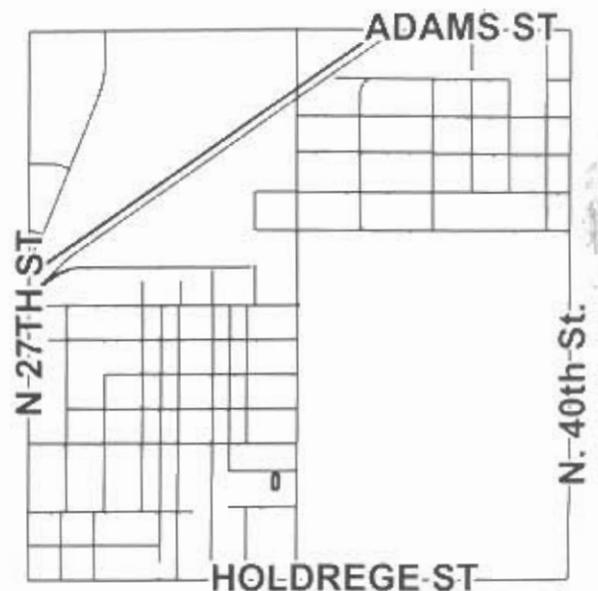
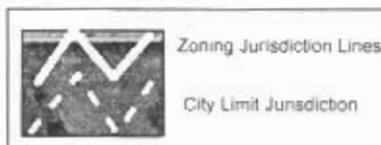
2005 aerial

Change of Zone #05060 N. 33rd & Doane Street

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
Sec. 18 T10N R7E



Planning Director
MARVIN KROUT
555. S 10th
Lincoln, NE 68508

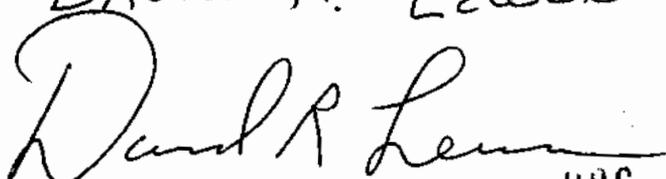
DEAR SIR,

We who would like to have the zoning changed on this property from P to R-2. This property has been owned privately since 1944. The home owner wants the zoning changed to build a garage on this property.

RECEIVED

AUG 10 2005

PLANNING DEPARTMENT
CITY OF LINCOLN

DAVID R. LEWAN


006